

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
TAMARA NIKOLAEVA,

Plaintiff,

-against-

HOME ATTENDANT SERVICES OF HYDE
PARK,

Defendant.

-----X
NICHOLAS G. GARAUFIS, United States District Judge.

ORDER

15-CV-6977 (NGG) (RER)

Plaintiff Tamara Nikolaeva brings this action under the Fair Labor Standards Act, 29 U.S.C. § 203, et seq., against Defendant Home Attendant Services of Hyde Park. (Compl. (Dkt. 1).) After reaching an amicable settlement agreement, the parties submitted the agreement for court review and approval. (Mot. for Settlement Approval (Dkt. 43).)


On August 23, 2019, the undersigned referred review and approval of the settlement to Magistrate Judge Ramon E. Reyes for a Report and Recommendation ("R&R"). (Aug. 23, 2019 Order.) Judge Reyes issued an R&R concluding, pursuant to Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199, 206 (2d Cir. 2015), that the settlement is fair and reasonable. (Sept. 9, 2019 R&R.) Judge Reyes recommended the court grant the parties' motion for settlement approval. (Id.)

No party has objected to Judge Reyes's R&R, and the time in which to do so has passed. See Fed. R. of Civ. P. 72(b)(2). (See also Sept. 9, 2019 R&R.) Therefore, the court reviews the R&R for clear error. See, e.g., Charlot v. Ecolab, Inc., 97 F. Supp. 3d 40, 46-47 (E.D.N.Y. 2015); La Torres v. Walker, 216 F. Supp. 2d 157, 159 (S.D.N.Y. 2000).

Having found no clear error, the court ADOPTS IN FULL the R&R. Plaintiffs' (Dkt. 43) motion for approval of settlement is GRANTED. The parties are DIRECTED to file a stipulation of discontinuance.

SO ORDERED.

Dated: Brooklyn, New York
October 8, 2019


S/ Nicholas G. Garaufis
NICHOLAS G. GARAUFI
United States District Judge